

## CUSTOMS INSPECTION ON THE HIGH SEAS

*Exchange of notes at Berlin August 27 and September 5, 1931*

*United States notified of German ratification August 17, 1933*

*Entered into force August 31, 1933*

*Not revived with Federal Republic of Germany*

Department of State files

*The Minister of Foreign Affairs to the American Ambassador*

[TRANSLATION]

FOREIGN OFFICE  
W. 3409

BERLIN, August 27, 1931

MR. AMBASSADOR:

Following up the conversations between the Foreign Office and the Embassy of the United States of America concerning the customs inspection of travelers and their baggage on board German and American ocean liners on the high seas, I have the honor to recapitulate the results on which the Reich Government and the Government of the United States of America have agreed, as follows:

The German Reich and the United States of America agree that customs inspection of passengers and their baggage on vessels flying the flag of one of the parties and approaching the port of the other party may be carried out by the customs officers of the last named party on the high seas, before the ships enter the territorial waters of this party. The legal provisions which would apply if customs inspection of passengers and their baggage were attended to in the harbor, apply on the ships mentioned; from the beginning of customs inspection, the customs officers may undertake all official acts, serving to carry out these provisions, in the same degree and with the same effect as in the harbor itself.

This agreement may be terminated by each of the two Governments on three months written notice.

The Agreement is subject to ratification by Germany. It goes into effect 14 days after the day on which the delivery of the German ratification document to the Embassy of the United States of America in Berlin has taken place.

Accept, Mr. Ambassador, the assurance of my highest consideration.

CURTIUS

His Excellency  
The Ambassador of the United States of America,  
Mr. SACKETT,  
*Berlin.*

---

*The American Ambassador to the Minister of Foreign Affairs*

No. 576

BERLIN, *September 5, 1931*

EXCELLENCY:

With reference to the conversations between members of this Embassy and the Ministry of Foreign Affairs concerning customs inspection of passengers and their baggage on board American and German ships on the high seas, I have the honor, in reply to your note of August 27, 1931, to confirm as follows the results which have been agreed upon between my Government and that of Your Excellency.

The United States and Germany agree that customs inspection of passengers and their baggage on vessels flying the flag of one of the parties approaching a port of the other may be carried out on the high seas by customs officials of the latter before such vessels enter its territorial waters. From the time that customs inspection begins the legal provisions that would apply if the customs inspection of the passengers and their baggage were attended to in the harbor apply on the ships in question; from the beginning of customs inspection the customs officers may employ all the official acts necessary for the execution of these provisions in the same degree and with the same effect as in the harbor itself. This agreement may be terminated on three months' written notice by either party.

It is understood that the agreement is subject to ratification by Germany and that it goes into effect 14 days after the day on which the delivery of the German ratification document to this Embassy has taken place.

I avail myself of this opportunity to extend to Your Excellency the renewed assurance of my highest consideration.

FREDERIC M. SACKETT

His Excellency  
Dr. JULIUS CURTIUS,  
*Minister for Foreign Affairs,*  
*Berlin.*